

## Message Text

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ACTION ARA-10

INFO OCT-01 ISO-00 CIAE-00 INR-07 NSAE-00 DHA-02 ORM-02  
TRSE-00 L-03 EUR-12 AID-05 IO-13 DODE-00 PM-04  
H-01 NSC-05 PA-01 PRS-01 SP-02 SS-15 USIA-06  
/090 W  
-----142255Z 079350 /72

R 142137Z APR 77  
FM AMEMBASSY SANTIAGO  
TO SECSTATE WASHDC 4366

CONFIDENTIAL SECTION 1 OF 2 SANTIAGO 3058

E.O. 11652: GDS  
TAGS: SHUM PINT CI  
SUBJECT: CENSORSHIP LAW STIRS UP CHILEAN PRESS AND INTELLIGENCE  
GENTSIA

REF: A) SANTIAGO 2028 B) SANTIAGO 2242; C) SANTIAGO A-32

1. SUMMARY - A MONTH-OLD ORDER REQUIRING GOVERNMENT APPROVAL FOR NEW PUBLICATIONS AND THE IMPORTATION OF PRINTED MATERIAL HAS DRAWN CRITICISM FROM SECTORS FAVORABLY DISPOSED TOWARD THE GOC. THE GOC HAS BEEN IN NO HURRY TO CLARIFY JUST WHAT THE NEW LAW MEANS AND WHAT CHANGES IT ENTAILS--IT MAY, INDEED, PROVE LESS STRICT THAN THE AD HOC CENSORSHIP IT REPLACED, JUST AS THE GOC INTIMATES. BUT FOR A NUMBER OF MODERATE SUPPORTERS OF THE REGIME, THE MERE EXISTENCE OF THE REGULATION HAS COME TO SYMBOLIZE EXTREMISM WITHIN THE GOVERNMENT. THEY NOW ARE BEGINNING TO RAISE QUESTIONS ABOUT THE LIMITS OF NATIONAL SECURITY. END SUMMARY

2. ON MARCH 12, THE MILITARY ZONE COMMANDER FROM SANTIAGO AND ENVIRONS, RELYING UPON  
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EMERGENCY POWERS IN EFFECT DURING THE STATE OF SIEGE, ISSUED AN ADMINISTRATIVE ORDER (BANDO 107) WHICH REQUIRED GOC APPROVAL FOR NEW PUBLICATIONS AND IMPORTATION OF ALL PRINTED MATERIAL (REF A). OTHER ZONE COMMANDERS WERE INSTRUCTED TO ISSUE AN EQUIVALENT ORDER FOR THEIR JURISDICTIONS. THE NATIONAL MASS COMMUNICATIONS DIRECTORATE, A STAFF OFFICE OF THE

JUNTA, JUDGES THE CONTENT AND PROVENANCE OF THE MATERIAL AND MAY REQUEST WHATEVER INFORMATION IT BELIEVES NECESSARY TO MAKE ITS DECISION. REPORTEDLY, STILL SECRET PROVISIONS SET ADDITIONAL GUIDELINES FOR THE CENSORS.

3. QUESTIONS HAVE BEEN RAISED AND CONFLICTING ANSWERS OFFERED PIECEMEAL REGARDING THE GOVERNMENT'S INTENTIONS AND IMPLEMENTATION OF THE BANDO. THERE IS A QUESTION, FOR EXAMPLE, WHETHER THE GOC INTENDS TO BAN THE FUTURE IMPORTATION OF SUCH INTERNATIONALLY PROMINENT AUTHORS AS GARCIA MARGUEZ, CORTAZAR AND VARGAS LLOSA. INDEED, IT APPEARS AS IF THE GOC USED TO PROHIBIT SOME WORKS AND THE PRACTICAL EFFECT OF THE BANDO GIVEN THE PUBLIC OUTCRY, COULD CONCEIVABLY BE TO EASE SUCH RESTRICTIONS. AFTER LONG SILENCE AND PUBLIC CRITICISM ON APRIL 13 THE GOC PROCLAIMED THAT "THERE DOES NOT EXIST AND WILL NOT EXIST" ANY RESTRICTION ON THE IMPORTATION OF PUBLICATIONS. THEN, ITS ANNOUNCEMENT ADDS EXCEPT THAT "PORNOGRAPHIC" AND "EXTREMIST" OR "SUBVERSIVE" MATERIAL AIMED AT "UNDERMINING THE FUNDAMENTAL INSTITUTIONS OF THE SOCIETY SUCH AS THE FAMILY OR YOUTH" WOULD BE BANNED. IT ADDED THAT THE GOC WANTED TO ENCOURAGE THE DISTRIBUTION OF SCIENTIFIC AND CULTURAL WORKS.

4. WHATEVER THE FACTS, THE MEDIA AND INTELLECTUAL COMMUNITY DO NOT LIKE THE BANDO. SOME HAVE COMPARED IT WITH THE CATHOLIC CHURCH'S INDEX. RAFAEL SOUSA, A CONSERVATIVE, FALANGIST WROTE IN LA TERCERA THAT BANNING SUCH WRITERS AS GARCIA MARQUEZ

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WOULD BE THE "WORST THING THAT COULD HAPPEN TO ME".

5. AUTHORITATIVE "EL MERCURIO" HAS TRADITIONALLY DEFENDED FREEDOM OF THE PRESS AGAINST GOVERNMENT ENCROACHMENT, ALTHOUGH IT HAS ACQUIESCED IN THE NEED FOR SELF CENSORSHIP DURING THIS EMERGENCY PERIOD. BUT IT FURTHER THAN WE CAN RECALL IN ITS EDITORIAL APRIL 10. IT SAID THAT GIVEN CHILE'S CULTURAL TRADITION "IT SEEMS IMPOSSIBLE THAT AN INSTITUTIONAL GOVERNMENT, OUR MILITARY REGIME, ESTABLISHED TO SAFEGUARD OUR LIBERTY, WOULD RESUSCITATE THE "INDEX". THE EDITORIAL SAID THE JUNTA ALSO SHOULD RECALL THAT THE BEST DEFENSE OF "NATIONAL SECURITY" LIES IN VACCINATING THE YOUTH AGAINST THE SIREN OF COMMUNISM, NOT TURNING IT INTO A FORBIDDEN FRUIT. THE EDITORIAL, LACED WITH SUCH TOUGH PHRASES AS "AN UNPARDONABLE ERROR", CONCLUDED: "RESTRICTIONS ON ANY BOOKS ARE CONTRARY TO NATIONAL SECURITY AND CONTRARY TO THE LONG AND

UNINTERRUPTED TRADITION OF INTELLECTUAL LIBERTY TO  
WHICH CHILE OWES SO MUCH."

6. "EL MERCURIO" TOOK ANOTHER SWIPE AT THE BANDO  
IN AN APRIL 13 EDITORIAL (PROBABLY NOT FONTAINE'S).  
IT CONCLUDED THAT: "CHILEANS WILL SUBMIT TO DISCIPLINE  
BASED UPON THE COMMON GOOD, BUT IT BECOMES HARDER  
AND HARDER TO SUSTAIN RESTRICTIONS THEY DO NOT  
BELIEVE ARE JUSTIFIED." THE EDITORIAL LINKED THE BANDO TO  
THE RECENT DECISION TO APPLY THE VALUE ADDED TAX  
TO PUBLICATIONS AND ARGUED THAT BOTH RAN CONTRARY TO  
THE JUNTA'S OWN EMPHASIS ON THE MARKETPLACE, FREE  
ENTERPRISE AND LOWER TARIFFS.

7. COMMENT: "EL MERCURIO" IN THE PAST HAS BECOME  
EXERCISED WHEN GOVERNMENT HAS ENCROACHED UPON PRESS  
FREEDOM. REFAIR NOTED ITS STIFF EDITORIALS, ALSO  
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DONE BY FONTAINE, REGARDING THE CLOSURE OF PDC-  
OWNED RADIO BALMACEDA. THE PAPER ALSO CRITICIZED  
THE GOC'S DECISION TO DISSOLVE NON-MARXIST POLITICAL  
PARTIES, ALBEIT IN MORE GUARDED TONES. WHAT WE

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TRSE-00 L-03 EUR-12 AID-05 IO-13 DODE-00 PM-04  
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/090 W  
-----142254Z 079481 /72

R 142137Z APR 77  
FM AMEMBASSY SANTIAGO  
TO SECSTATE WASHDC 4367

C O N F I D E N T I A L SECTION 2 OF 2 SANTIAGO 3058

FIND SIGNIFICANT IN THIS LATEST EDITORIAL IS THE TOUGH  
LANGUAGE AND THE EXPLICIT STATEMENT THAT THERE ARE

LIMITS TO NATIONAL SECURITY. MOREOVER, FONTAINE  
DEPICTS COMMUNISM AS JUST ANOTHER POLITICAL THEORY  
THAT CANNOT STAND THE LIGHT OF REASON--A CONCEPT ALSO  
EMBODIED IN THE PDC POLICY PAPERS AND USED BY THE GOC  
AS EVIDENCE OF SUBVERSION. THIS CONFLICTS WITH THE  
GOC'S CONTENTION THAT, IN PINOCHET'S WORDS, "COMMUNISM  
IS AN INTRINSICALLY PERVERSE DOCTRINE" WHICH MUST BE  
"EXTIRPATED" FROM CHILE.

8. THE EDITORIAL REACTION TO THE BANDO APPEARS TO  
REFLECT INCREASED CONCERN BY MODERATE, INTELLECTUAL  
CONSERVATIVES OVER EVIDENCE THAT HARDLINERS HAVE  
INCREASED THEIR INFLUENCE WITHIN THE GOC DURING THE  
LAST FEW MONTHS. MORE GENERALLY, THE BANDO HAS  
TOUCHED A SENSITIVE NERVE AMONG CHILEAN CIVILIANS.  
IT WILL AT LEAST MARGINALLY INCREASE THEIR DIFFI-  
CULTIES IN GOING ALONG WITH THE JUNTA'S FAR-FETCHED  
APPLICATION OF STRINGENT CONTROL MEASURES IN THE  
NAME OF NATIONAL SECURITY.

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## Message Attributes

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**Review Markings:**  
Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
22 May 2009  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009